

of franchise taxes erroneously collected	79.50
To pay Security State Bank of Mineral Wells, refund of franchise taxes erroneously collected	50.00
To pay R. J. Minton, commission on \$1153.29 @ 25% on Delinquent State Taxes collected	288.32
To pay Freeport Independent School District, Brazoria County, Texas, for School Bond Taxes on Clemens Stat Farm ..	748.34
To pay Independent Oil Company of Cleburne, Texas, for occupation taxes erroneously collected	240.48
To pay Malone Filling Station, Malone, Texas, for gasoline taxes erroneously collected	1,493.62
Total	488,138.20

Sec. 2. Wherever in this Act an amount is appropriated to pay refund of corporate franchise taxes, corporate filing fees, gross receipts taxes, or to pay refunds to insurance companies, the account before being paid shall first be approved by the Attorney General as to legality and by the head of the Department to which the money was originally paid as to correctness of the claim.

Sec. 3. The fact that many of the items of this bill should be paid as promptly as possible, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

FIFTEENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,

Wednesday, June 26, 1929.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

Senate Bill No. 67.

The question recurred upon the pending motion to indefinitely postpone the further consideration of the amendment and the bill.

Senator Williamson moved the previous question on the motion to postpone.

The motion prevailed by the following vote:

Yeas—19.

Beck.	Patton.
Hornsby.	Pollard.
Hyer.	Russek.
Martin.	Stevenson.
McFarlane.	Thomason.
Miller.	Westbrook.
Moore.	Williamson.
Neal.	Wirt.
Parr.	Woodul.
Parrish.	

Nays—6.

Berkeley.	Love.
Gainer.	Small.
Holbrook.	Woodward.

Absent.

Cousins.	Greer.
Cunningham.	Hardn.
DeBerry.	Witt.

The motion to indefinitely postpone prevailed by the following vote:

Yeas—14.

Beck.	Stevenson.
Hardin.	Thomason.
Hyer.	Westbrook.
Moore.	Williamson.
Parr.	Wirt.
Patton.	Witt.
Russek.	Woodul.

Nays—14

Berkeley.	McFarlane.
Cunningham.	Miller.
DeBerry.	Neal.
Greer.	Parrish.
Holbrook.	Pollard.
Hornsby.	Small.
Love.	Woodward.

Absent.

Cousins.	Martin.
Gainer.	

The Chair voted ye

Messages From the House.

The Chair recognize the Door-

keeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,
Austin, Texas, June 26, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has failed to pass the following resolution:

S. C. R. No. 5, Requesting that W. C. Davis be granted permission to sue the State.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, June 26, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee Report on H. B. No. 1,—the Rural Ad Bill, by a vote of 104 yeas and 8 nays.

The House has adopted the Free Conference Committee Report on S. B. No. 42 by a vote of 115 yeas and no nays.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas, June 26, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has postponed indefinitely

S. C. R. No. 3, Arranging for a committee from the House and Senate to investigate conditions at the Penitentiary System.

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Reason for Vote.

I want to file my reasons for supporting S. B. No. 67, which, as amended, would limit the compensation of county officers in Texas to \$15,000.00 per year, which is the salary of the Vice-President of the United States. The vote of the Senators was a tie, and the Lieutenant Governor cast the deciding vote in favor of killing the bill. This bill would have saved several thousand

dollars a year for the taxpayers of Dallas County by paying that much into the county treasury without working a hardship on anybody. It provided that it should not become effective until January 1st, 1931, so it would not have affected the county officials now holding office during the full term for which they were elected. The bill also provided that officials, with the approval of the commissioners' court might pay out of their fees, after retaining the \$15,000.00, salaries of assistants and expenses incident to any service necessary in the performance of their official duties.

I certainly was not actuated by any unkind feeling toward any county official who might be affected by this bill. Those in my county I have voted for whenever they have been candidates. I feel that they are to be congratulated upon the compliment paid them by the Senate and the Lieutenant Governor in killing a bill to provide that they shall not receive a greater salary than that of the Vice-President of the United States.

THOS. B. LOVE.

Bills and Resolutions.

By Senator Pollard:

S. B. No. 191, A bill to be entitled "An Act authorizing counties of a certain class according to population to lease any county hospital of said county hospital to be operated as a county hospital by the lessee; prescribing regulations relating to said subject; and declaring an emergency."

Read first time and referred to Committee on Public Health.

By Senator Love:

S. B. No. 192, A bill to be entitled "An Act to amend Article 1302, Chapter 1, Title 32, of the Revised Civil Statutes of the State of Texas, of 1925, relating to purposes for which private corporations may be formed by adding thereto a section to be known as Section 82, so as to provide that corporations may be formed for the purpose of buying, selling, trading, holding, owning and dealing in oil leases and oil royalties, or either of them, with the right to acquire and own all property necessary to conduct such business."

Read first time and referred to Committee on State Affairs.

By Senator Love:

S. B. No. 193, A bill to be entitled "An Act to validate incorporations of cities, towns and villages; etc., and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Hardin:

S. B. No. 194, A bill to be entitled "An Act making it unlawful to trap, snare, shoot at, catch, or kill any wild fox in Bell County, providing a penalty, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Neal:

S. B. No. 195, A bill to be entitled "An Act making an appropriation for the benefit of James School District No. 52 in Shelby County, Texas, on account of recent destruction of the school property in said district; etc., and declaring an emergency."

Read first time and referred to Committee on Finance.

Senate Bill No. 53.

The Chair laid before the Senate as special order the following bill:

By Senator Woodward:

S. B. No. 53, A bill to be entitled "An Act amending Article 7471 of the Revised Civil Statutes of Texas of 1925 so as to provide that in the appropriation of public waters as defined in Article 7467 of the Revised Civil Statutes of 1925, all rights conferred by, through or in the appropriation of such waters for hydro-electric power purposes, shall hereafter be subordinate to and shall remain subordinate to the rights of the State to grant allotments, etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Woodward the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 53 was put on its third reading and final passage, by the following vote:

Yeas—26.

Beck.	Greer.
Berkeley.	Holbrook.
Cousins.	Hornsby.
Cunningham.	Hyer.
DeBerry.	Love.
Gainer.	McFarlane.

Miller.	Russek.
Moore.	Small.
Neal.	Stevenson.
Parr.	Westbrook.
Parrish.	Williamson.
Patton.	Witt.
Pollard.	Woodward.

Nays—2.

Martin.	Wirtz.
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Absent.

Hardin.	Woodul.
Thomason.	

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Greer.	Stevenson.
Holbrook.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.
Neal.	

Nays—3.

Hornsby.	Wirtz.
Martin.	

Absent.

Hardin.

Senate Bill No. 191.

Senator Pollard received unanimous consent to take up the following bill:

By Senator Pollard:

S. B. No. 191, A bill to be entitled "An Act authorizing counties of a certain class according to population to lease any county hospital of said county to be operated as a county hospital by the lessee; prescribing regulations relating to said subject; and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by unanimous consent.

The committee report was adopted.

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 191 was put on its second reading by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Galner.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

The bill was read second time and passed to engrossment.

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 191 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Galner.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	McFarlane.
Berkeley.	Miller.
Cousins.	Moore.
Cunningham.	Neal.
DeBerry.	Parr.
Galner.	Parrish.
Greer.	Patton.
Hardin.	Pollard.
Holbrook.	Russek.
Hornsby.	Small.
Hyer.	Stevenson.
Love.	Thomason.
Martin.	Westbrook.

Williamson.
Wirtz.
Witt.

Woodul.
Woodward.

Senate Bill No. 156.

Senator Cousins received unanimous consent to take up the following bill:

By Senator Cousins:

S. B. No. 156. A bill to be entitled "An Act fixing the compensation of county auditors in every county having a population of not less than 15,975 and not more than 16,300 according to the 1920 United States census and prescribing how same shall be paid; providing that such shall be the salary of said auditors so long as the taxable values in the county shall not exceed the sum of Fifteen Million Dollars for the next preceding year; commissioners' court fixing said salary when said taxable values are less than said sum; and declaring an emergency."

Read second time.

Senator Miller sent up the following amendment:

Amend S. B. No. 156, by adding between Sections 1 and 2, two new sections to be designated (1a) and (1b) to read as follows:

Section 1a. In counties having a population of not less than 22,800 and not over 22,900 inhabitants by the 1920 Federal census, the commissioners' court shall have the right to appoint an auditor of accounts and finances, as now provided by Title 34 of the 1925 Revised Civil Statutes of Texas or the county commissioners' court may in its discretion, if a saving in expense to the county can be effected, employ a certified public accountant to audit the accounts and finances of the county as provided in said Title 34, which certified public accountant shall make monthly audited reports of said county accounts and finances of said commissioners' court at its regular monthly meetings, and said accountant shall be paid monthly out of the general revenue of the county on order of the commissioners' court.

Section 1b. There are laws and parts of laws in conflict herewith and the same are hereby repealed.

MILLER.

Read and adopted.

Amend S. B. No. 156, by adding after the word "same" in the caption of the bill the following:

Providing for the appointment and

pay and duties of a county auditor and certified public accountant in counties having a population of not less than 22,800 and not more than 22,900 inhabitants by the 1920 Federal census; repealing all laws or parts of laws in conflict herewith.

MILLER.

Read and adopted.

On motion of Senator Cousins the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 156 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 184.

The Chair laid before the Senate on second reading the following bill:

By Senator Stevenson:

S. B. No. 184, A bill to be entitled "An Act leasing to certain persons as trustees for Bee County American Legion Post No. 274 a tract of land

for park purposes; etc., and declaring an emergency."

The rule requiring committee reports to lie over 24 hours was suspended by unanimous consent.

The committee report was adopted.

On motion of Senator Stevenson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 184 was put on its second reading by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

The bill was read second time and passed to engrossment.

On motion of Senator Stevenson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 184 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Berkeley.
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Cousins.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.
Neal.	

Senate Bill No. 169.

Senator Woodul called up from the table the following bill:

By Senator Woodul:

S. B. No. 169, A bill to be entitled "An Act to amend Article 7298, Revised Statutes of 1925, and to prevent delinquent tax payers from pleading statute of limitation by way of defense against the payment of any taxes due from him or her either to the State, County, City, etc., and declaring an emergency."

Senator Woodul sent up the following amendment:

Amend S. B. No. 169 by striking out of Article 7298 in Section 1 of the bill the following words:

"Independent School District, Common School District," and by inserting at the end of Article 7298 a new sentence to read as follows:

"Provided that no suit shall be brought for the collection of delinquent taxes of a school district or road district unless instituted within six years from the time the same shall become delinquent."

WOODUL.

Read and adopted.

Amend said S. B. No. 169 by striking out of the caption the following words:

"Independent School District, Common School District," and by inserting in the caption just before the words "and declaring an emergency" the following words:

"prescribing a limitation of time when suits may be brought for taxes of school districts and road districts;"

WOODUL.

Read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Woodul the constitutional rule requiring bills to

be read on three several days was suspended and S. B. No. 169 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 174.

The Chair laid before the Senate on second reading the following bill:

By Senator Wirtz:

S. B. No. 174, A bill to be entitled "An Act amending Subdivision 22 of Article 199, Title 8, of the Revised Statutes of Texas, 1925, providing for changing terms and times of holding courts in the Twenty-second Judicial District of Texas; etc., and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Wirtz the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 174 was put

on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Recess.

On motion of Senator McFarlane, the Senate, at 12:02 o'clock p. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2:00 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

Senate Bill No. 179.

The Chair laid before the Senate on second reading the following bill:
By Senator Neal:

S. B. No. 179, A bill to be entitled "An Act relating to courses of instruction in the Constitutions of the United States and Texas in the schools, colleges and universities, supported by public funds; repealing

Chapter 234, Acts of the Regular Session of the Forty-first Legislature; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Neal the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 179 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 172.

The Chair laid before the Senate on second reading the following bill:
By Senator Thomason:

S. B. No. 172, A bill to be entitled "An Act amending an Act passed by the Forty-first Legislature at its First Called Session, the same being S. B. No. 42 of that Session, so as to make the provisions of the Act apply to forfeiting school land in San Augustine County to the same extent that it applies to such land

in other counties named in said S. B. No. 42; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Thomason the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 172 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 158.

The Chair laid before the Senate on second reading the following bill:

By Senator Parr:

S. B. No. 158, A bill to be entitled "An Act to promote the commercial potato growing industry in Texas; to authorize the Commissioners of Agriculture to fix and promulgate official standards for grading, classifying and inspecting Texas grown potatoes; to cooperate with the

United States Department of Agriculture in accomplishing the purposes of this Act; and declaring an emergency."

Read second time.

Senator Parr sent up the following amendment:

Amend S. B. No. 158 by adding in Section 5, in the last line thereof, between the words "potatoes and a," the following: "copy of."

PARR.

Read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—30.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward

Nays—1

DeBerry.

Senate Bill No. 140.

The Chair laid before the Senate on second reading the following bill:

By Senator Hornsby:

S. B. No. 140, A bill to be entitled "An Act authorizing the commissioners' court of the several counties in Texas to issue refunding bonds for the purpose of refunding road bonds that have been issued by authority of statutes enacted pursuant to Section 52 of Article 3 of the Constitution of Texas; etc., and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 140 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 190.

The Chair laid before the Senate on second reading the following bill:

By Senator Cunningham:

S. B. No. 190, A bill to be entitled "An Act creating a more efficient road system for Scurry County, Texas; etc., and declaring an emergency."

The rule requiring Committee reports to lie over 24 hours was suspended by unanimous consent.

The Committee report was adopted.

On motion of Senator Cunningham the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 190 was put on its second reading by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

The bill was read second time and passed to engrossment.

On motion of Senator Cunningham the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 190 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Parrish.
Gainer.	Patton.
Greer.	Pollard.
Hardin.	Russek.
Holbrook.	Small.
Hornsby.	Stevenson.
Hyer.	Thomason.
Love.	Westbrook.
Martin.	Williamson.
McFarlane.	Wirtz.

Witt.
Woodul.

Woodward.

The bill was read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 142.

The Chair laid before the Senate on second reading the following bill:
By Senator Miller:

S. B. No. 142, A bill to be entitled "An Act authorizing the Commissioners' Court of Wise county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes and to levy a tax in payment thereof, and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Miller the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 142 was put on its third reading and final passage by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

The bill was read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 185

The Chair laid before the Senate the following bill:

By Senator Hyer:

S. B. No. 185, A bill to be entitled "An Act to amend Article 2463 and 2465 of Subdivision 1 of Title 46 of the Revised Civil Statutes of the State of Texas, 1925, as amended by Chapter 17 of the General Laws passed at the Regular Session of the Forty-first Legislature, and also amending Article 2484 of Subdivision 1 of Title 46, Revised Civil Statutes of the State of Texas, 1925, relating to credit unions and declaring an emergency."

The rule requiring Committee reports to lie over 24 hours was suspended by unanimous consent.

The Committee report was adopted.

On motion of Senator Hyer the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 185 was put on its second reading by the following vote:

Yeas—31.

Beck.	McFarlane.
Berkeley.	Miller.
Cousins.	Moore.
Cunningham.	Neal.
DeBerry.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Hardin.	Pollard.
Holbrook.	Russek.
Hornsby.	Small.
Hyer.	Stevenson.
Love.	Thomason.
Martin.	Westbrook.

Williamson.
Wirtz.
Witt.

Woodul.
Woodward.

The bill was read second time and passed to engrossment.

On motion of Senator Hyer the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 185 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

The bill was read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 183.

The Chair laid before the Senate the following bill:

By Senator Cousins:

S. B. No. 183, A bill to be entitled "An Act to amend Subdivisions 58 and 60 of Article 199 of Title 8, Revised Civil Statutes of the State of Texas, which subdivisions relate to the district courts of the Fifty-eighth and Sixtieth Judicial Districts of Texas, and fixing the number of

terms and the time for holding said courts, and prescribing the jurisdiction and providing for the administration of the business of said courts including the method of filing, docketing and transferring cases and prescribing certain duties of the district clerk, and the method of filing vacancies in the office of district clerk; and to conform all writs and process issued or served before this Act takes effect, including recognizances and bonds returnable to the terms of said courts as herein fixed; etc., and declaring an emergency."

The rule requiring Committee report to lie over 24 hours was suspended by unanimous consent.

The Committee report was adopted.

On motion of Senator Cousins the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 183 was put on its second reading by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

The bill was read second time and passed to engrossment.

On motion of Senator Cousins the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 183 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Hyer.
Berkeley.	Love.
Cousins.	Martin.
Cunningham.	McFarlane.
DeBerry.	Miller.
Gainer.	Moore.
Greer.	Neal.
Hardin.	Parr.
Holbrook.	Parrish.
Hornsby.	Patton.

Pollard.	Williamson.
Russek.	Wirtz.
Small.	Witt.
Stevenson.	Woodul.
Thomason.	Woodward.
Westbrook.	

The bill was read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 157.

The Chair laid before the Senate on second reading the following bill:
By Senator Small:

S. B. No. 157, A bill to be entitled "An Act authorizing the County Judge to employ a stenographer and clerk in any county of less than one hundred thousand inhabitants, in which there is a city having an actual population of 38,489 inhabitants or more; providing a means for ascertaining said population; regulating the salary of said stenographer; providing for his removal; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 157 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Hyer.
Berkeley.	Love.
Cousins.	Martin.
Cunningham.	McFarlane.
DeBerry.	Miller.
Gainer.	Moore.
Greer.	Neal.
Hardin.	Parr.
Holbrook.	Parrish.
Hornsby.	Patton.

Pollard.	Williamson.
Russek.	Wirtz.
Small.	Witt.
Stevenson.	Woodul.
Thomason.	Woodward.
Westbrook.	

The bill was read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 149.

The Chair laid before the Senate on second reading the following bill:
By Senator Small:

S. B. No. 149, A bill to be entitled "An Act providing for the payment of expenses of trial by jury in Civil cases by the counties in which said cases are filed, except when such cases are transferred upon pleas of privilege, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 149 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Miller.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Parr.
DeBerry.	Parrish.
Gainer.	Patton.
Greer.	Pollard.
Hardin.	Russek.
Holbrook.	Small.
Hornsby.	Stevenson.
Hyer.	Thomason.
Love.	Westbrook.
Martin.	Williamson.
McFarlane.	Wirtz.

Witt.
Woodul.

Woodward.

The bill was read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

House Bill No. 167.

The Chair laid before the Senate the following bill:

By Mr. Kemble and Mr. Morse:

H. B. No. 167, A bill to be entitled "An Act amending Session Acts of the Forty-first Legislature, Chapter 314, the same being the regulation of motor carriers transporting property over public highways, so as to provide for cancellation of insurance policies on property insured under said act, and declaring an emergency."

The rule requiring Committee reports to lie over 24 hours was suspended by unanimous consent.

The Committee report was adopted.

On motion of Senator Witt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 167 was put on its second reading by the following vote:

Yeas—31.

Beck.	McFarlane.
Berkeley.	Miller.
Cousins.	Moore.
Cunningham.	Neal.
DeBerry.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Hardin.	Pollard.
Holbrook.	Russek.
Hornsby.	Small.
Hyer.	Stevenson.
Love.	Thomason.
Martin.	Westbrook.

Williamson.
Wirtz.
Witt.

Woodul.
Woodward.

The bill was read second time. On motion of Senator Witt, the bill was laid on the table subject to call.

Senate Bill No. 69.

The Chair laid before the Senate on second reading the following bill:

By Senators Martin and Westbrook:

S. B. No. 69, A bill to be entitled "An Act creating the office of criminal district attorney in each county of this State in which there is a separate judicial district composed of said county only in which judicial district there is not now a district attorney serving said separate judicial district; etc., and declaring an emergency."

The Committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 69 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

The bill was read third time and finally passed by the following vote:

Yeas—31.

Beck.	Holbrook.
Berkeley.	Hornsby.
Cousins.	Hyer.
Cunningham.	Love.
DeBerry.	Martin.
Gainer.	McFarlane.
Greer.	Miller.
Hardin.	Moore.

Neal.	Thomason.
Parr.	Westbrook.
Parrish.	Williamson.
Patton.	Wirtz.
Pollard.	Witt.
Russek.	Woodul.
Small.	Woodward.
Stevenson.	

House Bill No. 163.

The Chair laid before the Senate the following bill:

By Mr. Sanders:

H. B. No. 163, A bill to be entitled "An Act providing for the open season on squirrels in certain counties; providing penalty, and declaring an emergency."

The rule requiring Committee reports to lie over 24 hours was suspended by unanimous consent.

The Committee report carrying amendment was adopted.

On motion of Senator Patton the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 163 was put on its second reading by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

The bill was read second time and passed to third reading

On motion of Senator Patton the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 163 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Gainer.
Berkeley.	Greer.
Cousins.	Hardin.
Cunningham.	Holbrook.
DeBerry.	Hornsby.

Hyer.	Russek.
Love.	Small.
Martin.	Stevenson.
McFarlane.	Thomason.
Miller.	Westbrook.
Moore.	Williamson.
Neal.	Wirtz.
Parr.	Witt.
Parrish.	Woodul.
Patton.	Woodward.
Pollard.	

The bill was read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 153.

The Chair laid before the Senate on second reading the following bill:

By Senator Gainer:

S. B. No. 153, A bill to be entitled "An Act providing that when a claim or claims are filed under Chapter 17, of the General Laws of the State of Texas, passed by the Regular Session of the 39th Legislature, that a bond may be filed providing the amount and terms of such bond for notice, and prescribing period of the limitation of action to enforce such bond; providing incidental matters, and declaring an emergency."

The bill was read second time.

Senator Gainer sent up the following amendment:

Amend S. B. No. 153 by striking out all below the enacting clause and insert the following:

Section 1. That whenever any claim or claims shall be filed attempting to fix a lien, secured or claimed by any instrument filed under the provisions of Chapter 17, of the General Laws of the State of Texas, passed by the Thirty-ninth

Legislature in Regular Session, that the contractor or contractors against whom such claim or claims are made, may file a bond with the officials of the State, county, town or municipality whose duty it is to pay the moneys, bonds or warrants to such contractor or contractors. Said bond shall be double the amount of the claims filed, and shall be payable to the claimant or claimants. It shall be executed by the party filing same as principal, and by a corporate surety authorized under the laws of Texas to execute such bond as surety; and shall be conditioned substantially that the principal and surety will pay to the obligees named, or their assigns, the amount of the claim or claims, or such portion or portions thereof as may be proved to have been liens, under the terms of Chapter 17, General Laws of the State of Texas, passed by the Regular Session of the Thirty-ninth Legislature. The filing of said bond and its approval by the proper official of the State, county, town or municipality, shall release and discharge all liens fixed or attempted to be fixed by the filing of said claim or claims, and the official or officials whose duty it is to pay the moneys, bonds or warrants shall pay or deliver the same to the contractor or contractors, or their assigns. Said official shall send by registered mail an exact copy of said bond to all claimants.

Sec. 2. At any time within six months from the date of filing of said surety bond, the party making or holding such claim or claims may sue upon such bond, but no action shall be brought on such bond after the expiration of such period. One action upon said bond shall not exhaust the remedy thereon, but each obligee or assignee of an obligee named therein may maintain a separate suit thereon in any court and in any jurisdiction. If any claimant or claimants in an action establish the fact that they were entitled to a lien under the provision of Chapter 17 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-ninth Legislature, the court shall fix a reasonable attorney's fee in favor of the claimant or claimants, which shall be taxed as part of the costs in the case. The bond provided in Section One of this Act shall also be

conditioned that the principal and surety will pay all court costs adjudged against the principal in actions brought by claimant or claimants thereon.

Sec. 3. The fact that a great many claims of liens are filed under the provision which are unjust, and for the further reason that contractors under this chapter are often times harassed by such claims, and at the present time do not have adequate means of protecting themselves, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring the reading of bills on three several days in each House, and said rule is hereby suspended, and this Act shall take effect from and after its passage, and it is so enacted.

Read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Gainer the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 153 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time.

Senator Gainer sent up the following amendment:

Amend S. B. No. 153 by striking out all above the enacting clause and insert the following:

S. B. No. 153, A bill to be entitled "An Act providing that when a claim or claims attempting to fix a lien are filed under Chapter 17 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-ninth Legislature, that a surety bond may be given by

the contractor or contractors affected; providing for the release of the lien securing said claim, and for the payment of the moneys, bonds, or warrants due said contractor or contractors upon the filing and approval of said bond; also providing for the limitation of actions to establish said claims; for incidental matters, and declaring an emergency."

Read and adopted unanimously.

The bill as amended finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

H. B. No. 167.

Senator Witt called up from the table H. B. No. 167.

Senator Love sent up the following amendment:

Amend H. B. No. 167, page 1, line 24 by inserting after the word "company" the words "including mutuals and reciprocals."

Amend line 16, page 2, by inserting after the word "company" the words "authorized to write workmen's compensation."

LOVE.

Read and adopted.

The bill as amended passed to third reading.

On motion of Senator Witt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 167 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Gainer.
Berkeley.	Greer.
Cousins.	Hardin.
Cunningham.	Holbrook.
DeBerry.	Hornsby.

Hyer.	Russek.
Love.	Small.
Martin.	Stevenson.
McFarlane.	Thomason.
Miller.	Westbrook.
Moore.	Williamson.
Neal.	Wirtz.
Parr.	Witt.
Pollard.	Woodul.
Parrish.	Woodward.
Patton.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 11.

The Chair laid before the Senate the following bill:

By Senator Williamson:

S. B. No. 11. A bill to be entitled "An Act further regulating the operation of vehicles on the public highways; limiting the size and weight of vehicles and loads permitted on any public highway; requiring lights on certain vehicles not heretofore by law required to carry lighting equipment; restricting the stopping or parking of a vehicle on the improved portion of a highway; providing for the erection and maintenance of signs or markers, on the State Highways, prescribing restrictions regarding the speed of any vehicle; prescribing penalties for violations of this Act; providing for appointment of inspectors to enforce the provisions of this Act and other laws relating to vehicles and traffic on the public highways; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

On motion of Senator Williamson the vote by which the 45 mile amendment was lost was reconsidered.

The amendment was adopted.

The bill as amended passed to engrossment.

On motion of Senator Williamson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 11 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Gainer.	Pollard.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Witt.
Miller.	Woodul.
Moore.	Woodward.
Neal.	

Nays—2.

Cunningham. DeBerry.

Motion to Set Special Order.

Senator Witt moved to set S. B. No. 147 as special order immediately following the present special orders.

Senator Moore moved the previous question on the motion. The previous question was ordered.

Senator Witt withdrew his motion.

Senate Bill No. 70.

The Chair laid before the Senate

as special order the following bill:

By Senator Beck and others:

S. B. No. 70, A bill to be entitled "An Act further regulating the practice of medicine within this State; etc., and declaring an emergency."

Read second time.

Senator McFarlane sent up the following amendment:

Amend S. B. No. 70 by adding to the end of Section 1 the following:

"provided that all money collected under the provisions of this Act shall be placed in the General Revenue Fund of the State Treasury."

McFARLANE.

The amendment was read.

Senator Moore moved to table the amendment. The motion prevailed.

Senator Parrish sent up the following amendment:

Amend S. B. No. 70, section 3, by adding at the end of section 3 the following:

Provided, however, that no one shall be allowed to use any of said money collected under this Act to employ additional counsel to assist in prosecuting any case coming under the provisions of the Medical Practice Act unless and until request is first made for such assistance by the county or district attorney of the county in which the criminal case is pending.

PARRISH.

The amendment was read.

Senator Love moved to table the amendment. The motion prevailed by the following vote:

Yeas—17.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Patton.
Hardin.	Russek.
Holbrook.	Stevenson.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Woodul.
Miller.	

Nays—9.

DeBerry.	Parrish.
Greer.	Small.
Martin.	Wirtz.
McFarlane.	Woodward.
Parr.	

Absent—Excused.

Cunningham. Gainer.

Pollard.
Thomason.

Witt.

Senator Hornsby moved the previous question on the engrossment of the bill. The motion prevailed.

The bill as amended passed to engrossment.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 70 was put on its third reading and final passage, by the following vote:

Yeas—21.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Patton.
Cunningham.	Stevenson.
DeBerry.	Westbrook.
Gainer.	Williamson.
Greer.	Wirtz.
Hardin.	Witt.
Holbrook.	Woodul.
Hornsby.	Woodward.
Love.	

Nays 2.

Martin. McFarlane.

Absent.

Hyer.	Pollard.
Miller.	Russek.
Parr.	Small.
Parrish.	Thomason.

Read third time and finally passed by the following vote:

Yeas—23.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Patton.
DeBerry.	Stevenson.
Gainer.	Thomason.
Greer.	Westbrook.
Hardin.	Williamson.
Holbrook.	Wirtz.
Hornsby.	Witt.
Hyer.	Woodul.
Love.	Woodward.
Miller.	

Nays—4.

Cunningham. McFarlane.
Martin. Parrish.

Absent.

Parr. Russek.
Pollard. Small.

Senate Bill No. 110.

The Chair laid before the Senate as special order the following bill:

By Senator McFarlane:

S. B. No. 110, A bill to be entitled "An Act relating to State Penitentiary and the State Prison System; increasing the duties, powers and functions of the Texas Prison Board, etc., and declaring an emergency."

Read second time.

Senator McFarlane sent up the following amendment:

Amend S. B. No. 110, page 2, by adding to the end of line 7 the following:

"The Prison Board shall make their annual report to the Governor and members of the Legislature as of September 1st and an annual inventory shall be taken as of that date."

McFARLANE.

Read and adopted.

Senator Holbrook moved that the further consideration of this bill be indefinitely postponed. The motion was lost by the following vote:

Yeas—11.

Beck.	Pollard.
Berkeley.	Stevenson.
Hardin.	Westbrook.
Holbrook.	Witt.
Martin.	Woodward.
Neal.	

Nays—13.

Cousins.	McFarlane.
Cunningham.	Miller.
DeBerry.	Parr.
Gainer.	Patton.
Greer.	Russek.
Hornsby.	Williamson.
Love.	

Absent.

Hyer.	Small.
Moore.	Thomason.
Parrish.	

(Pairs Recorded.)

Senator Wirtz (present), who would vote nay with Senator Woodul (absent), who would vote yea.

Senator Hornsby sent up the following amendment:

Amend S. B. No. 110 by striking out Sections 1, 6, 7, 8, 9, 10, and 11 and amend the caption to conform thereto.

HORNSBY.

Read and adopted.

Senator Witt sent up the following amendment:

Amend S. B. No. 110 by striking out Section 4.

WITT.

The amendment was read.

Senator Greer moved to adjourn until tomorrow morning at 10:00 o'clock. The motion was lost by the following vote:

Yeas—9.

Cousins.	Stevenson.
Greer.	Westbrook.
Hardin.	Wirtz.
Martin.	Woodul.
Russek.	

Nays—16.

Beck.	McFarlane.
Berkeley.	Miller.
Cunningham.	Neal.
DeBerry.	Pollard.
Holbrook.	Small.
Hornsby.	Williamson.
Hyer.	Witt.
Love.	Woodward.

Absent.

Gainer.	Parrish.
Moore.	Patton.
Parr.	Thomason.

Senator Love moved the previous question on the amendment and the bill. The motion prevailed.

The amendment was adopted.

The bill as amended failed to pass to engrossment by the following vote:

Yeas—12.

DeBerry.	Patton.
Gainer.	Russek.
Hornsby.	Small.
McFarlane.	Westbrook.
Miller.	Williamson.
Parr.	Wirtz.

Nays—13.

Beck.	Neal.
Berkeley.	Pollard.
Cunningham.	Stevenson.
Hardin.	Witt.
Holbrook.	Woodul.
Hyer.	Woodward.
Love.	

Absent.

Cousins.	Moore.
Greer.	Parrish.
Martin.	Thomason.

Senate Bill No. 41.

The Chair laid before the Senate

as special order the following bill:

By Senator Williamson:

S. B. No. 41, A bill to be entitled "An Act amending Article 1558 of the Penal Code of 1925, relating to the removal and disposition of mortgaged personal property; and declaring an emergency."

Read second time.

Senator Wirtz sent up the following amendment:

Amend S. B. No. 41 Section 1, third from last line in said section, by adding after the word "given," the following: "or shall fail to deliver possession of said property, upon demand of the mortgagee."

WIRTZ.

The amendment was read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Williamson the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 41 was put on its third reading and final passage, by the following vote:

Yeas—25.

Beck.	Parr.
Berkeley.	Patton.
Cousins.	Pollard.
DeBerry.	Russek.
Gainer.	Small.
Hardin.	Stevenson.
Holbrook.	Westbrook.
Hornsby.	Williamson.
Hyer.	Wirtz.
Love.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Neal.	

Nays—1.

Cunningham.

Absent.

Greer.	Parrish.
Martin.	Thomason.
Moore.	

The bill was read third time and finally passed by the following vote:

Yeas—23.

Beck.	Hyer.
Berkeley.	Love.
Gainer.	McFarlane.
Greer.	Miller.
Hardin.	Neal.
Holbrook.	Parr.
Hornsby.	Patton.

Russek.	Williamson.
Small.	Witt.
Stevenson.	Woodul.
Thomason.	Woodward.
Westbrook.	

Nays—1.

Cunningham.

Present—Not Voting.

DeBerry.	Wirtz.
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Absent.

Cousins.	Parrish.
Martin.	Pollard.
Moore.	

Message from the House.

The Chair recognized the Door-keeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, June 26, 1929.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 193, A bill to be entitled "An Act to amend Article 7298, Revised Statutes, 1925, and to prevent delinquent taxpayers from pleading statute of limitation by way of defense against the payment of any taxes due from him or her either to the State or any county, city, town, navigation district, drainage district, irrigation district, independent school district and all other districts, and declaring an emergency."

Respectfully submitted,
LOUISE SNOW PHINNEY,
Chief Clerk House of Representatives.

Senate Bill No. 165.

The Chair laid before the Senate as special order the following bill:
By Senator Berkeley:

S. B. No. 165, A bill to be entitled "An Act to create the One Hundred Twelfth Judicial District of Texas and to designate the counties constituting said District, and fixing the time for holding courts therein; amending subdivision 33 of Article 199 of the Revised Statutes of 1925, reorganizing the Twenty-third Judicial District of Texas, and designating the counties constituting said district and fixing the time for hold-

ing court in the various counties of said District, and declaring an emergency, etc."

The bill was read second time and passed to engrossment.

On motion of Senator Berkeley the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 165 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Woodul.
Neal.	Woodward.

Absent.

Cousins.	Martin.
Greer.	

The bill was read third time and finally passed by the following vote:

Yeas—27.

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Woodul.
Neal.	Woodward.
Parr.	

Present—Not Voting.

DeBerry.	Absent.
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Cousins.	Martin.
Greer.	

House Bill Referred.

H. B. No. 193 referred to Committee on State Affairs.

ment apparatus not used on the highways of this State; motorboat or marine engines, aircraft; for cleaning and dyeing purposes other than in motor vehicles; police patrol wagons and ambulances owned by municipalities not used on the highways of this State; and agricultural tractors and combines used for strictly agricultural purposes and not used on the public highways; and no purple colored motor fuels shall be sold, distributed for and/or used in any vehicle propelled by internal combustion engines, electricity, or steam, upon, or over the highways of this State, or capable of use thereof, and all other motor vehicles capable of such use, other than those herein specifically permitted to use purple colored motor fuels. Every application to purchase purple colored fuel shall be accompanied by affidavit showing the intended use thereof, to be for a purpose exempting same from the payment of the tax herein fixed, and if such motor fuel be used for a purpose other than that exempting such motor fuel from said tax, such improper use shall constitute a misdemeanor and if said purple motor fuel be mixed with some other liquid or coloring so as to destroy or disguise its original purple color such mixing or adulteration shall constitute a misdemeanor and the person guilty of such improper use or mixing or adulteration shall be fined not less than One Hundred (\$100.00) Dollars, nor more than One Thousand (\$1,000.00) Dollars, and the making of such false affidavit shall constitute false swearing, as defined by Article 310 of the 1925 Penal Code of Texas, and the person making such false affidavit shall be punished as is provided in said Article 310 of said 1925 Penal Code of Texas.

The terms "highway motor fuel," "gasoline," "purple motor fuel," or "purple colored motor fuel" shall include all fuels ordinarily, practically, and commercially usable and combustible in internal combustion engines for the generation of power in propelling motor vehicles upon and over the highways of this State, and shall include all distillates and condensates from petroleum, natural gas, coal, coal tar and vegetable ferments, except that is commonly known as fuel and crude oil, and

except kerosene having a minimum of 110 degs. Fahrenheit Flash Test, when tested in the manner fixed or prescribed, or that may be hereafter prescribed by the United States Bureau of Mines; said distillates and condensates being ordinarily designated as gasoline, liberty fuel, naptha, benzol, benzine, alcohols, and other volatile and inflammable liquids so usable.

The term "Highway" shall include any road, street, way, thoroughfare or bridge in this State not privately owned or controlled, for the use of vehicles over which the State has legislative jurisdiction under its police power.

The term "motor vehicle" shall include all vehicles propelled by internal combustion engines, electricity, or steam, upon or over the highways of the State of Texas, or capable of use thereon.

Article 7065-O. Whoever wilfully or knowingly makes any false statement in any claim made or filed under the provisions of this Act as to any material fact required to be given by this Act shall be guilty of a misdemeanor, and shall be punishable by a fine of not less than Two Hundred (\$200.00) Dollars, nor more than Two Thousand (\$2,000.00) Dollars, or by imprisonment in the county jail for not less than thirty (30) days nor more than one (1) year, or both such fine and imprisonment.

Sec. 18. No permit shall be required of any distributor under the provisions of this Act until, as hereinbefore provided, thirty (30) days from the taxing effect hereof. Immediately upon the taking effect of this Act the tax herein imposed shall be levied and collected on the sale, as defined herein, of gasoline. A report shall be made under Article 7065 of all sales of gasoline up to the taking effect of this Act, and all sales, as defined herein, thereafter shall be reported as provided herein. All taxes imposed under Article 7065 heretofore, and having accrued, and that have not been paid, shall be in no wise affected by this Act, but all such taxes, penalties, and interests shall be paid, and all suits to collect the same shall be prosecuted.

Sections 1 to 16 of this Act shall take effect and be in force from and after January 1st, A. D. 1930, and

State Cemetery at Austin	350.00
Erecting monument	250.00
Removing the remains of Robert M. Williamson from Wharton to the State Cemetery at Austin	350.00
Erecting monument	250.00
Removing the remains of Robert Potter from Marion County to the State Cemetery at Austin	450.00
Erecting monument	250.00
Erecting monument to Alexander Horton at San Augustine	250.00
Erecting monument to Robert A. Irion at Nacogdoches	250.00

The foregoing itemization of the amounts is merely an estimate and shall not prevent the Board of Control from using said lump sum to accomplish the purposes of the Act, even though it may be necessary to spend more or less within the total than the various items above shown, to accomplish the purpose of this Act."

LOVE.
WOODUL.

Read and adopted.
Senator Parr sent up the following amendment:
Amend S. B. No. 181, by inserting the following:

College of Arts and Industries,
Kingsville, Texas.

Supplemental Appropriation for 1929 Summer School	\$4,589.00
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PARR.

Read and adopted.

The bill as amended passed to engrossment.

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 181 was put on its third reading and final passage, by the following vote:

Yeas—28.

Beck.	McFarlane.
Berkeley.	Miller.
Cunningham.	Moore.
DeBerry.	Neal.
Gainer.	Parr.
Hardin.	Parrish.
Holbrook.	Patton.
Hornsby.	Pollard.
Hyer.	Russek.
Love.	Small.

Stevenson.	Wirtz.
Thomason.	Witt.
Westbrook.	Woodul.
Williamson.	Woodward.

Absent.

Cousins.	Martin.
Greer.	

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Hyer.	Westbrook.
Love.	Williamson.
McFarlane.	Wirtz.
Miller.	Witt.
Moore.	Woodul.
Neal.	Woodward.

Absent.

Cousins.	Martin.
Greer.	

Recess.

Senator Woodward moved to recess until 10:00 o'clock tomorrow morning. The motion prevailed, and at 5:20 o'clock p. m., the Senate recessed.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, June 26, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 69 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 26, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 149 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 26, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 156
carefully examined and compared
and find the same correctly en-
grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 26, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 169
carefully examined and compared
and find the same correctly en-
grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 26, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 174
carefully examined and compared
and find the same correctly en-
grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 26, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 184
carefully examined and compared
and find the same correctly en-
grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 26, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 185
carefully examined and compared
and find the same correctly en-
grossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 26, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 191
carefully examined and compared
and find the same correctly en-
grossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, June 26, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Pub-
lic Health, to whom was referred

S. B. No. 191, A bill to be entitled
"An Act authorizing counties of a
certain class according to popula-
tion to lease any county hospital of
said county to be operated as a coun-
ty hospital by the lessee; prescribing
regulations relating to said subject;
and declaring an emergency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass, and
be not printed.

BECK, Chairman.

Committee Room,
Austin, Texas, June 26, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on State
Highways and Motor Traffic, to
whom was referred

H. B. No. 167, A bill to be entitled
"An Act amending Session Acts of
the Forty-first Legislature, Chapter
314, the same being the regulation
of motor carriers transporting prop-
erty over public highways, etc."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, June 25, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on State
Highways and Motor Traffic, to
whom was referred

S. B. No. 188, A bill to be entitled
"An Act amending Section 19 of an
Act passed by the Forty-first Legis-
lature at its First Called Session, the
same being S. B. No. 115, etc."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, June 25, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on State
Highways and Motor Traffic, to
whom was referred

S. B. No. 190, A bill to be entitled
"An Act creating a more efficient
road system for Scurry County,
Texas, providing that the county
commissioners shall be road commis-
sioners of their respective precincts;
providing that such commissioners
shall have charge of the road teams,
tools, machinery and appliances of
said county under the direction of
the commissioners' court; etc., and
declaring an emergency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass and
be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, June 25, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Edu-
cational Affairs, to whom was re-
ferred

S. B. No. 176, A bill to be entitled
"An Act changing the names of cer-
tain State Eleemosynary Institutions
and State Institutions named and de-
scribed in this Act; providing for the
control of such institutions by the
State Board of Control; providing

for the appointment of superintend-
ents of said institutions, their terms
and powers; providing for the man-
ner of their compensation; repealing
all laws in conflict herewith; pro-
viding that all laws applicable to the
institutions under names by which
they were now known shall be ap-
plicable to the institutions under the
names herein indicated, and declar-
ing an emergency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass with
the following Committee Amend-
ments:

By striking out all of Section 2
and inserting in lieu thereof the fol-
lowing:

"The Board of Control shall rec-
ommend to the Governor the su-
perintendents of the various Elee-
mosynary Institutions, and he shall

submit same to the Senate for con-
firmation."

Also amend the caption accord-
ingly.

NEAL, Chairman.

Committee Room,
Austin, Texas, June 25, 1929.
Hon. Barry Miller, President of the
Senate.

Sir: We, your Committee on Edu-
cational Affairs, to whom was re-
ferred

S. B. No. 177, A bill to be entitled
"An Act amending Article 2958 of
the Revised Civil Statutes of the
State of Texas, 1925, and defining
the residence of teachers regularly
engaged in the discharge of their
duties in educational institutions in
this State and ministers of the Gos-
pel and Jewish rabbis actively en-
gaged as such; and declaring an
emergency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass, and
be printed in the Journal.

NEAL, Chairman.

By Cunningham. S. B. No. 177.

A BILL

To Be Entitled

An Act amending Article 2958 of the
Revised Civil Statutes of the State
of Texas, 1925, and defining the
residence of teachers regularly en-
gaged in the discharge of their
duties in educational institutions
in this State and Ministers of the
Gospel and Jewish Rabbis actively
as such; and declaring an emer-
gency.

Be it enacted by the Legislature of
the State of Texas:

Sec. 1. That Article 2958 of the
Revised Civil Statutes of the State
of Texas, 1925, be, and the same is
hereby amended, so as to hereafter
read as follows:

Article 2958: "Residence": The
residence of a single man is where
he usually sleeps at night; that of
a married man is where his wife re-
sides, or if he be permanently sep-
arated from his wife, his residence
is where he sleeps at night; pro-
vided that the residence of one who
is an inmate or officer of a public
asylum or eleemosynary institute, or
who is employed as a clerk in one
of the Departments of the Govern-
ment at the capitol of this State, or

who is a teacher regularly engaged in the discharge of his duties in an educational institution in this State, or who is a Minister of the Gospel or Jewish Rabbi actively engaged as such, or who is a student of a college or university, unless such officer, clerk, inmate, teacher, Minister of the Gospel or Jewish Rabbi, or student has become a bona-fide resident citizen in the county where he is employed or is such student, shall be construed to be where his home was before he became such inmate in such eleemosynary institution or asylum or was employed as such clerk, teacher, Minister of the Gospel or Jewish Rabbi, or became such student; and if on the payment of his poll tax he would be a qualified voter, he shall be permitted to return during the month of January in each year to his home to pay his poll tax or obtain his certificate of exemption, and shall be permitted to return again to his home to vote at any general or primary election. The inmates of the Confederate Home situated within the limits of the City of Austin shall, after obtaining their certificates of exemption, be entitled to vote for State, District, Municipal and County Officers.

Sec. 2. The public importance of the purposes herein contemplated creates an emergency and an imperative public necessity exists demanding that the Constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

FIFTEENTH DAY.

(Continued.)

Senate Chamber,
Austin, Texas,

Thursday, June 27, 1929.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by Lieutenant Governor Barry Miller.

Bills Signed.

The Chair, Lieutenant Governor Barry Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. C. R. No. 8.

S. B. No. 49.

Bills and Resolutions.

By Senator Woodward:

S. B. No. 196, A bill to be entitled, "An Act authorizing all counties in Texas having a population of not less than 18,800 and not more than 18,850, according to the United States Federal Census of 1920, to allow the sheriff an ex-officio salary of an amount not to exceed \$3,500.00 per annum and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Parr:

S. B. No. 197, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office of the State of Texas to issue an oil and gas lease to M. M. Holden, etc., and declaring an emergency."

Read first time and referred to Committee on Mining, Irrigation and Drainage.

By Senator Love:

S. B. No. 198, A bill to be entitled "An Act to authorize the members of fraternal benefit societies to select their own beneficiaries and further direct the payment of benefits, etc., and declaring an emergency."

Read first time and referred to Committee on Insurance.

By Senator McFarlane:

S. B. No. 199, A bill to be entitled "An Act making appropriations for the establishment and maintenance of a cotton fiber laboratory under the supervision of A. and M. College, and declaring an emergency."

Read first time and referred to Committee on Finance.

Senate Bill No. 196.

Senator Woodward received unanimous consent to take up the following bill:

By Senator Woodward:

S. B. No. 196, A bill to be entitled "An Act authorizing all counties in Texas having a population of not less than 18,800 and not more than 18,850, according to the United States Federal Census of 1920, to allow the sheriff an ex-officio salary of an amount not to exceed \$3,500.00 per annum, and declaring an emergency."

The rule requiring Committee re-

ports to lie over 24 hours was suspended by unanimous consent.

The Committee report was adopted.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 196 was put on its second reading by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

The bill was read second time and passed to engrossment.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 196 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	DeBerry.
Berkeley.	Gainer.
Cousins.	Greer.
Cunningham.	Hardin.

Holbrook.	Pollard.
Hornsby.	Russek.
Hyer.	Small.
Love.	Stevenson.
Martin.	Thomason.
McFarlane.	Westbrook.
Miller.	Williamson.
Moore.	Wirtz.
Neal.	Witt.
Parr.	Woodul.
Parrish.	Woodward.
Patton.	

Senate Bill No. 197.

Senator Parr received unanimous consent to take up the following bill:

By Senator Parr:

S. B. No. 197, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office of the State of Texas to issue an oil and gas lease to H. M. Holden, his heirs and assigns, for a term of five years and as long thereafter as oil, gas or any other mineral is produced in paying quantities, upon Mineral Survey 688 for 703.86 acres in Nueces Bay, Nueces County, Texas, being the survey included in Permit No. 5242, conditioned that the said H. M. Holden, his heirs or assigns, shall pay to the General Land Office in advance for the benefit of the Available School Fund a sum of one dollar per acre, per year, until oil, gas or other minerals be produced during said five year period, when a royalty to one-eighth of the market value of the gross production shall be paid in lieu of said rentals, providing for a forfeiture and reinstatement, and declaring an emergency."

The rule requiring Committee reports to lie over 24 hours was suspended by unanimous consent.

The Committee report was adopted.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 197 was put on its second reading by the following vote:

Yeas—31.

Beck.	Holbrook.
Berkeley.	Hornsby.
Cousins.	Hyer.
Cunningham.	Love.
DeBerry.	Martin.
Gainer.	McFarlane.
Greer.	Miller.
Hardin.	Moore.

Neal.	Thomason.
Parr.	Westbrook.
Parrish.	Williamson.
Patton.	Wirtz.
Pollard.	Witt.
Russek.	Woodul.
Small.	Woodward.
Stevenson.	

The bill was read second time and passed to engrossment.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 197 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 91.

Senator Martin received unanimous consent to take up the following bill:

By Senator Martin:

S. B. No. 91, A bill to be entitled "An Act relating to bills of excep-

tion in District and County Courts, etc.; and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Martin, the constitutional rule requiring bills to be read on three several days was suspended, and S. B. No. 91 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Senate Bill No. 189.

The Chair laid before the Senate, on its second reading, the following bill:

By Senator Pollard:

S. B. No. 189, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on taking effect of this Act, and declaring an emergency."

The rule requiring committee re-

ports to lie over 24 hours was suspended by unanimous consent.

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 189 was put on its second reading by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Pollard.
Gainer.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hornsby.	Westbrook.
Hyer.	Williamson.
Love.	Wirtz.
Martin.	Witt.
McFarlane.	Woodul.
Miller.	Woodward.
Moore.	

Read second time.

Senator Berkeley sent up the following amendment:

Amend S. B. No. 189, pages 418 and 419, Senate Journal, June 25, 1929, beginning with the ninth claim page 418 Pas Molinar down to and including the 5 claims on pages 419 same being Elmo Johnson all of said claims for damages for not being allowed to raise cotton in Brewster County, Texas, during the year 1928, substituting in lieu of the amounts named in the printed bill amounts as follows to each and every claimant:

Name and Postoffice.	Amount.
Louise Acosta, Castolon.....	\$ 229.00
Ruperto Chabarria, Castolon	34.62
R. W. Derrick, Castolon.....	1,554.20
R. Enrique Garcia, Castolon	23.33
Felix Gomez, Castolon.....	17.75
Graham Brothers, Alpine..	450.00
Antonio Franco, Terlingua	107.50
Cipriano Hernandez, Castolon	193.12
Guadalupe Hernandez, Castolon	83.00
Elmo Johnson, Castolon.....	2,036.00
La Harmonia Company, Castolon	6,331.42
Epifanio Martinez, Castolon	104.00

Alberto Molinar, Terlingua	128.75
Juan Molinar, Terlingua..	15.75
Pas Molinar, Terlingua.....	57.25
Ramon Najar, Castolon.....	104.00
Deciderio Ortega. Castolon	80.85
Jesus Saiz, Castolon.....	105.50
Thos. V. Skaggs, Alpine.....	178.75
J. L. Sublett, Castolon.....	643.75

\$12,478.54

BERKELEY.

Read and adopted.

Senator McFarlane sent up the following amendment:

Amend S. B. No. 189, page 409, by striking out the American National Bank claim of \$31,875.50.

McFARLANE.

The amendment was read and adopted by the following vote:

Yeas—12.

Cunningham.	Moore.
DeBerry.	Parrish.
Greer.	Stevenson.
Holbrook.	Williamson.
Love.	Wirtz.
McFarlane.	Woodward.

Nays—12.

Berkeley.	Pollard.
Gainer.	Russek.
Hardin.	Small.
Hornsby.	Westbrook.
Hyer.	Witt.
Miller.	Woodul.
Parr.	

Present—Not Voting.

Martin. Neal.

Absent.

Beck.	Patton.
Cousins.	Thomason.

The Chair voted "yea."

Senator Hyer sent up the following amendment:

Amend S. B. No. 189 as it appears on page 411 and 412 of the Senate Journal (Fifteenth Day) so that the last item on said page shall be corrected by inserting between the words "pay" and "Fort Worth Textile Mills" the words "the stockholders of."

HYER.

Read and adopted.

Senator Love sent up the following amendment:

Amend S. B. No. 189 by inserting on page 414 after the words "Employers Casualty Corp. \$81.00" the following:

Provided that no such claims shall be paid to any of the aforementioned insurance companies unless such company shall accompany its claim with a sworn statement showing that it has no agreement or understanding to pay any person or persons compensation for collecting such claim in excess of ten per cent thereof.

LOVE.

The amendment was read.

Senator Witt moved to table the amendment. The motion prevailed by the following vote:

Yeas—13.

Gainer.	Russek.
Hardin.	Westbrook.
Hyer.	Williamson.
Martin.	Wirtz.
Moore.	Witt.
Parr.	Woodul.
Pollard	

Nays—12.

Berkeley.	Love.
Cunningham.	McFarlane.
DeBerry.	Miller.
Greer.	Neal.
Holbrook.	Parrish.
Hornsby.	Small.

Absent.

Beck.	Stevenson.
Cousins.	Thomason.
Patton.	Woodward.

Senator DeBerry sent up the following amendment:

Amend S. B. No. 189 by striking out the claim of the heirs of Thos. F. W. McKinney, deceased, amounting to \$16,942.80 on page 417 of Senate Journal.

DeBERRY.

Read and adopted by the following vote:

Yeas—22.

Berkeley.	Love.
DeBerry.	McFarlane.
Greer.	Miller.
Hardin.	Moore.
Holbrook.	Neal.
Hyer.	Parr.

Parrish.	Westbrook.
Patton.	Williamson.
Russek.	Wirtz.
Small.	Woodward.
Stevenson.	

Nays—4

Gainer.	Pollard.
Hornsby.	Thomason.

Present—Not Voting.

Cunningham.	Witt.
Martin.	

Absent.

Beck.	Woodul.
Cousins.	

Senator Moore sent up the following amendment:

Amend S. B. No. 189, page 418 of Senate Journal of June 25, 1929, by striking out the following:

"To pay Annie C. Cook, C.C.C., Austin, Texas, for expenditures in Texas Extension Teaching Service \$5,000.00."

MOORE.

Read and adopted.

Senator Greer sent up the following amendment:

Amend S. B. No. 189 by inserting at the end of Section one the following amendment: To pay Wheelock and Collins, for an over assessment of State taxes on the Wheelock and Collins Lease for the years 1926 and 1927, \$173.09.

GREER.

Read and adopted.

The bill as amended passed to engrossment.

Senator Miller moved to reconsider the vote by which the bill passed to engrossment.

Senator Pollard moved to table the motion. The motion to table prevailed by the following vote:

Yeas—22.

Beck.	Parr.
Berkeley.	Parrish.
DeBerry.	Patton.
Greer.	Pollard.
Hardin.	Small.
Holbrook.	Stevenson.
Love.	Thomason.
Martin.	Williamson.
McFarlane.	Wirtz.
Moore.	Witt.
Neal.	Woodward.

Nays—9.

Cousins.	Miller.
Cunningham.	Russek.
Gainer.	Westbrook.
Hornsby.	Woodul.
Hyer.	

On motion of Senator Pollard the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 189 was put on its third reading and final passage, by the following vote:

Yeas—31.

Beck.	Neal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Greer.	Pollard.
DeBerry.	Russek.
Hyer.	Small.
Love.	Stevenson.
Martin.	Thomason.
McFarlane.	Westbrook.
Holbrook.	Williamson.
Hornsby.	Wirtz.
Hardin.	Witt.
Gainer.	Woodul.
Miller.	Woodward.
Moore.	

Read third time.

Senator Miller sent up the following amendment:

Amend S. B. No. 189, page 419, by adding between the words "Bank" and "refund" the following words "or its successors or assigns" in the last item on said page.

MILLER.

Read and adopted unanimously.

Amend S. B. No. 189, page 420, by adding between the words "Mineral Wells" and "Refund" in the first item on said page the following words "or its successors or assigns."

MILLER.

Read and adopted unanimously.

Amend S. B. No. 189, page 409, by reinserting item 6 known as American National Bank claim.

MILLER.

The amendment was read.

Senator Miller sent up the following amendment to the amendment:

Amend the pending amendment by adding the words "provided this item shall not be paid unless, Attorney General rules it can be paid constitutionally."

MILLER.

The amendment to the amendment was read.

Senator Stevenson moved the previous question on the amendments and the bill. The motion prevailed.

The amendment to the amendment was lost by the following vote:

Yeas—15.

Berkeley.	Parr.
Cousins.	Pollard.
Cunningham.	Russek.
Gainer.	Small.
Hornsby.	Westbrook.
Hyer.	Witt.
Martin.	Woodul.
Miller.	

Nays—15.

Beck.	Neal.
DeBerry.	Parrish.
Greer.	Patton.
Hardin.	Stevenson.
Holbrook.	Williamson.
Love.	Wirtz.
McFarlane.	Woodward.
Moore.	

Absent.

Thomason.

The Chair voted "No."

The amendment was lost by the following vote:

Yeas—15.

Berkeley.	Parr.
Cousins.	Pollard.
Cunningham.	Russek.
Gainer.	Small.
Hornsby.	Westbrook.
Hyer.	Witt.
Martin.	Woodul.
Miller.	

Nays—15.

Beck.	Neal.
DeBerry.	Parrish.
Greer.	Patton.
Hardin.	Stevenson.
Holbrook.	Williamson.
Love.	Wirtz.
McFarlane.	Woodward.
Moore.	

Absent.

Thomason.

(Two-thirds vote required.)

The bill finally passed by the following vote:

Yeas—28.

Beck.	Moore.
Berkeley.	Neal.
Cousins.	Parr.
Cunningham.	Parrish.
Gainer.	Patton.
Greer.	Pollard.
Hardin.	Russek.
Holbrook.	Small.
Hornsby.	Stevenson.
Hyer.	Westbrook.
Love.	Williamson.
Martin.	Wirtz.
McFarlane.	Woodul.
Miller.	Woodward.

Nays—1.

DeBerry.

Present—Not Voting.

Witt.

Absent.

Thomason.

Adjournment.

Senator Hyer moved that the Senate adjourn until 2:30 o'clock p. m., June 27.

Senator Cousins moved to recess until 2:30 o'clock p. m.

The motion to adjourn prevailed and at 12:25 o'clock p. m., the Senate adjourned.

APPENDIX.

Committee on Engrossed Bills.

Committee Room,
Austin, Texas, June 27, 1929,
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 153 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 27, 1929,
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 183 carefully examined and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 27, 1929,
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-

grossed Bills, have had S. B. No. 179 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 27, 1929,
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 70 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 27, 1929,
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 157 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 27, 1929,
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 190 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 27, 1929,
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 142 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 27, 1929,
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 41 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,
Austin, Texas, June 27, 1929,
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 158

carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 27, 1929,

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 11 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 27, 1929,

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 172 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 27, 1929,

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 140 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 27, 1929,

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 165 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 27, 1929,

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 181 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 27, 1929,

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 197 carefully examined and compared

and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 27, 1929,

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 196 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 27, 1929,

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 91 carefully examined and compared and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, June 26, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 194, A bill to be entitled "An Act making it unlawful to trap, snare, shoot at, catch or kill any wild fox in Bell County, providing a penalty, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it being a local bill that it be not printed.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, June 27, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 186, A bill to be entitled "An Act authorizing the Commissioners' Court of Houston County, Texas, to cooperate with the State Highway Department and the Federal Government in the construction of a bridge across the Trinity River between Houston County and Madison County, to be paid for partly by Houston County, partly by Madison County and partly by the State and Federal Governments; authorizing the Commissioners' Court of Hous-

ton County to aid the State and Federal Governments in the construction of the bridge, and authorizing the Commissioners' Court of Houston County to pay Houston County's portion of the construction of said bridge by issuing interest bearing time warrants against the road and bridge fund of Houston County, and further providing that said warrants heretofore issued shall be validated; providing that this Act shall be accumulative of all other special road laws for Houston County; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it being a local bill that it be not printed.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, June 26, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 196, A bill to be entitled "An Act authorizing all counties in Texas having a population of not less than 18,800 and not more than 18,850, according to the United State Federal Census of 1920, to allow the sheriff an ex-officio salary of an amount not to exceed \$3,500.00 per annum, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, June 26, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 197, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office of the State of Texas to issue an oil and gas lease to M. M. Holden, his heirs and assigns, for a term of five year and as long thereafter as oil, gas or any other mineral is produced in paying quantities upon Mineral Survey 688 for 703.86 acres in Nueces Bay, Nueces County, Texas, being the survey included in Permit

No. 5242, conditioned that the said H. M. Holden, his heir or assigns, shall pay to the General Land Office in advance for the benefit of the Available School Fund a sum of one dollar per acre, per year, until oil, gas and other minerals be produced during said five year period, when a royalty equal to one-eighth of the market value of the gross production shall be paid in lieu of said rentals, providing for a forfeiture and reinstatement, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PARRISH, Vice-Chairman.

Committee Room,

Austin, Texas, June 27, 1929.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 198, A bill to be entitled "An Act to authorize the members of fraternal benefit societies to select their own beneficiaries and further direct the payment of benefits; to authorize the writing of more liberal juvenile benefits and provide means of enforcing payment of contributions, designations and for the regulation and control of such certificates and all rights, obligations and liabilities incident thereto not at variance with the provisions of this Act; amending Articles 4825, 4826, 4827, 4828, and 4831 of the Revised Statutes of Texas of 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and not be printed.

MOORE, Chairman.

Committee Room,

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 195, A bill to be entitled "An Act making an appropriation for the benefit of James School District No. 52, in Shelby County, Texas, on account of recent destruction of the school property in said district; directing the expenditure of said money; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

POLLARD, Chairman.

Committee Room,
Austin, Texas, June 26, 1929.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred

S. B. No. 192, a bill to be entitled: "An Act to amend Article 1302, Chapter 1, Title 32, of the Revised Civil Statutes of the State of Texas, of 1925, relating to purposes for which private corporations may be formed by adding thereto a section to be known as Section 82, so as to provide that corporations may be formed for the purpose of buying, selling, trading, holding, owning and dealing in oil leases and oil royalties, or either of them, with the right to acquire and own all property necessary to conduct such business."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and that it be printed in the Journal but not otherwise.

WIRTZ, Chairman.

By Love, S. B. No. 192,
A BILL

To Be Entitled

An Act to amend Article 1302, Chapter 1, Title 32, of the Revised Civil Statutes of the State of Texas, of 1925, relating to purposes for which private corporations may be formed by adding thereto a section to be known as Section 2, so as to provide that corporations may be formed for the purpose of buying, selling, trading, holding, owning and dealing in oil leases and oil royalties, or either of them, with the right to acquire and own all property necessary to conduct such business.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1302, Chapter 1, Title 32, of the Revised Civil Statutes of the State of Texas of 1925 be, and the same is hereby amended by adding thereto section 92 to read as follows:

'Section 92. Corporations may be formed for the purpose of buying,

selling, trading, holding, owning and dealing in oil leases and oil royalties, or either of them, with the right to acquire and own all property necessary to conduct such business."

Sec. 2. The fact that under the present law authorizing corporations to be formed, no provision is made for incorporating for the purpose of engaging in the business of buying, selling, trading, holding, owning and dealing in oil leases and oil royalties, or either of them, and the further fact that this is a large and growing business in the State of Texas with its vast undeveloped resources, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is hereby suspended, and this Act shall take effect and be in full force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, June 27, 1929,
Hon. Barry Miller, President of the Senate.

Sir: We, the Committee on Towns and City Corporations to whom was referred:

S. B. No. 193, A bill to be entitled, "An Act to validate incorporations of cities, towns and villages; amending Section 1 of Chapter 55 of the General Laws of the Fortieth Legislature so as to validate certain cities towns and villages that have attempted to incorporate as such corporations under the General Laws of this State, but which attempted incorporations failed to comply with all the requirements of the General Statutes; enacting provisions incident and necessary to the subject and purpose of this Act; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and that same be printed in the Journal.

BERKELEY, Chairman.

By Love. S. B. No. 193.

A BILL

To Be Entitled

An Act to validate incorporations of cities, towns and village; amending Section 1, of Chapter 55, of the General Laws of the Fortieth Legislature, so as to validate certain cities, towns and villages that

have attempted to incorporate as such corporations under the General Laws of this State, but which attempted incorporations failed to comply with all the requirements of the General Statutes; enacting provisions incident and necessary to the subject and purpose of this Act; and declaring an emergency. Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1, of Chapter 55, of the General Laws of the State of Texas, passed by the Fortieth Legislature, at its Regular Session, in 1927, validating certain cities and towns, be and the same is hereby amended so that said section will hereafter read and provide as follows:

Section 1. That all cities and towns of six hundred (600) inhabitants or more, which have heretofore attempted to accept provisions of Title 22, Revised Civil Statutes of 1911, or Title 28, Revised Civil Statutes of 1925, and to become incorporated cities and towns of six hundred (600) inhabitants or more, under the General Statutes and have failed to comply with all the requirements thereof, or which are not included within the literal meaning of those cities which are authorized to accept the provisions of said General Statutes, and, further, that all towns and villages incorporated under either Chapters 14 or 15, of Title 22, Revised Civil Statutes of 1911, or under either Chapters 11 or 12, of Title 28, Revised Civil Statutes of 1925, and which said attempted incorporations failed to comply with all the requirements of law, respectively, under which they were attempted to be incorporated, but which said cities, towns or villages have from and after the dates of their attempted incorporations, as aforesaid, exercised the functions of incorporated cities and/or incorporated towns and villages, and have been recognized as such municipalities be, and they are hereby declared to be cities and/or towns and villages of the class named in their attempted acts of incorporation, and their incorporations shall be, and the same are hereby declared to be as legal and valid as if the original acts of incorporation had been in strict compliance with the requirements of the law; and all acts and proceedings heretofore done and per-

formed by such cities and/or towns and villages, within the scope and power of such incorporations under the laws of the State, be, and the same are hereby, validated and made binding on such incorporations; provided, that nothing herein shall be construed as validating any act of the governing body of any such city, town or village, unless such act was authorized by the General Statutes of this State under which such governing body was attempting to act; and, provided further, that the provisions of this Act shall not validate the act of any city and/or town or village in adding additional territory without the consent of the inhabitants of the territory so added to such city and/or town or village.

Sec. 2. The fact that there are many cities and towns of six hundred inhabitants and more that have incorporated under provisions of said General Law, and have in good faith undertaken to incorporate and to accept the provisions of said General Laws, and may not have complied strictly with all of the provisions, and the acts, ordinances, and bond issues of said cities and towns, might be questioned, although made in good faith and authorized by a majority vote of the qualified voters of such cities, and the fact that there are many towns and villages in Texas which have heretofore attempted to incorporate under the provisions of the law authorizing such incorporations, but failed to comply with all requirements of such law, but have nevertheless been recognized as incorporated towns and villages, and the validation thereof is to the interest of such incorporated towns and villages, and also to the public interest, creates an emergency and an imperative public necessity requiring that the constitutional rule requiring bills to be read on three several days before final passage be suspended, and such rule is hereby suspended, and this Act shall take effect and shall be in force from and after its passage, and it is so enacted.

SIXTEENTH DAY.

Senate Chamber,
Austin, Texas,

Thursday, June 27, 1929.

The Senate met at 2:30 p. m., pursuant to adjournment, and was